

**GOVERNMENT OF TELANGANA
ABSTRACT**

ALL INDIA SERVICES (CONDUCT) RULES, 1968- Contempt Case No. 534/2010 in WP No 24801/2006 Government lands, Ranga Reddy District - Quthbullapur Mandal - Judgement dated 2.12.2015 - Permission to file appeal in Supreme Court of India and to defray all the legal charges incurred in the Supreme Court - Orders - Issued.

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GENERAL ADMINISTRATION (SC-C) DEPARTMENT

G.O.RT.No. 119

Dated: 19-01-2016

Read:

From Sri M. Raghunandan Rao, IAS Collector & District Magistrate,
R R District D.O. Ir No LP 4/7011/2015, dated 5.12.2015.

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ORDER :

In the representation read above, Sri M. Raghunandan Rao, IAS Collector & District Magistrate, Ranga Reddy District has brought to the notice that the Hon'ble High Court have passed the judgement on 2.12.2015 in Contempt Case No 534 of 2010 for non compliance of the orders passed in WP No 24801/2010 dated 29.12.2008 pertaining to Sy. No 107 of Suraram village, Quthbullapur Mandal wherein the Hon'ble Court sentenced the Member of Service the present District Collector, Ranga Reddy District with simple imprisonment for one month besides imposing a fine of Rs.2,000/-.

2. In the reference cited, the Member of Service stated that the Hon'ble Court passed the order inspite of his filing affidavit dated 5.11.2015 in the above case that it is a Government policy as enunciated in G.O. Ms No 58, Revenue Department, dated 30.12.2014 which seeks to regularise unauthorised occupation over Government lands. The Member of Service stated that the Hon'ble Court felt that his affidavit amount to contempt of the court and imposed a sentence. The Member of Service further stated that, he has consulted the Learned Advocate General in this regard and the Learned Advocate General have reached a conclusion that, this is a fit case to file appeal on several grounds, that the Member of Service have not been made party to the contempt case and no Form-I notice has been issued to him, that his affidavit dated 5.11.2015 merely states the current Government's policy and seeks permission of the Hon'ble High Court to implement the Government policy or to give time of 12 months to take up orderly eviction of over 2500 poor families and that the order in WP No 24801/2006 were issued in July 2007. Punishing only the current incumbent for the delay in implementation of the orders is clearly not tenable.

3. In view of the above, the Member of Service requested the Government to permit him to file appeal in the Hon'ble Supreme Court of India to set aside this order. The Member of Service has also stated that, it would be impossible for him to personally bear the expenses for the appeal especially in view of the fact that this sentence is issued in the context of the discharge of his official duties.

4. The Government after careful examination of the mater, and in the light of opinion of learned Advocate General opinion and in terms of Rule 17 of All India Service (Conduct)Rules, 1964, sanction is hereby accorded to Sri M. Raghunandan Rao, IAS, District Collector & Magistrate, Hyderabad for filing Special Leave Petition against the orders, dated 2.12.2015 of Hon'ble High Court in CC No 534/2010 to engage an Advocate on Record and Senior Counsel. The legal expenses in this regard shall be according to the orders issued in G.O.Ms No 1088, Law dated 9.7.1999 which regulates the fee payable to the Advocate on Record for the State and the Special Officer O/o the AOR for the State shall engage the services of Senior Counsels from

the panel of Senior Counsel for the State in consultation with the AOR to defend the interest of the State and the remuneration shall be fixed as per the orders issued in G.O.Ms No 82, Law, dated 14.6.1996 read with G.O.Ms No 200, Law, dated 14.0.1996. If the State Government engages a Senior Counsel outside the panel of senior Counsel, fee can be paid as agreed to between the Govt and such Senior Counsel.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

DR. RAJIV SHARMA
CHIEF SECRETARY TO GOVERNMENT

To
Sri M. Raghunandan Rao, IAS.,
Collector & District Magistrate,
Ranga Reddy District
Copy to:
The Law (C) Department.
SC/SF

//FORWARDED:: BY ORDER//

SECTION OFFICER(SC)